

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DAVID L. FISH, JR.,

Plaintiff,

v.

MARINE BIOLOGICAL LABORATORY,

Defendant.

Civ. A. No. 05-11619-RGS

THE MARINE BIOLOGICAL LABORATORY'S RULE 16.1 CERTIFICATION

Pursuant to Local Rule 16.1, defendant the Marine Biological Laboratory and its counsel affirm that they have conferred:

1. with a view to establishing a budget for the costs of conducting the full course, and various alternative courses, of the litigation; and
2. to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as mediation, arbitration, and the alternative dispute resolution programs outlined in Local Rule 16.4.

THE MARINE BIOLOGICAL LABORATORY

By its attorneys,

By it is representative,

/s/ Julie Murphy Clinton

Jonathan D. Rosenfeld (BBO# 556172)
Julie Murphy Clinton (MA Bar #655230)
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000

/s/ Susan P. Goux

Susan P. Goux
Director of Human Resources

Dated: September 16, 2005

CERTIFICATE OF SERVICE

I, Julie Murphy Clinton, hereby certify that on September 16, 2005, I caused a copy of the foregoing certification to be served by first-class mail upon the plaintiff, David L. Fish, Jr.

/s/ Julie Murphy Clinton